

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56202 of 2021

Arising Out of PS. Case No.-132 Year-2018 Thana- LAURIA District- West Champaran

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IMROZ KHAN S/o Jhunna Khan R/o village- Suarchhap Pipara, P.S.-
Lauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Adv.

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 376, 504, 506, 120(B) of the IPC
and section 4 of the Protection of Children from Sexual
Offences Act.

The allegation against the petitioner is that he developed
illicit sexual relationship with his daughter on the pretext of
marriage and when her daughter became pregnant, petitioner
denied to marry her.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. Petitioner has no criminal antecedent. It is submitted that after investigation, police filed final form against the petitioner but the court below differing with the final form, took cognizance against the petitioner. A supplementary affidavit has been filed by the petitioner which is sworn by the victim herself, at para-2 of which, it is mentioned that the victim on her sweet will left the house and solemnized marriage with the petitioner with whom she is very much satisfied and have no grievance. Learned counsel for the petitioner submits that though the victim was minor but according to the Muslim law, the permissible age for marriage of girl is 15 years.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/Successor Court
in connection with Lauriya P.S. Case No.132 of 2018, subject
to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

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